

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

AECOM ENERGY & CONSTRUCTION,  
INC.,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,  
Defendant.

Case No. 20-2016 C  
(Judge Bonilla)

**JOINT MOTION TO EXTEND SCHEDULING ORDER DEADLINES**

Plaintiff AECOM Energy & Construction, Inc., formerly known as URS Energy & Construction, Inc. (“URS”), and Defendant the United States of America (“Government”) submit this Joint Motion To Extend Scheduling Order Deadlines pursuant to Court of Federal Claims Rules 6(b) and 6.1. The Parties respectfully move this Court to modify the May 3, 2022 Amended Discovery Scheduling Order (ECF No. 23), by setting a new deadline for completion of the Government’s outstanding document production, and by adjusting other discovery deadlines accordingly.

The current schedule provides for a phased discovery period involving (1) document discovery; (2) completion of fact depositions; and (3) expert discovery. Under that schedule, fact discovery is to close on May 26, 2023. As stated in the March 29, 2023 Joint Status Report, however, the Government has not yet completed producing documents, thereby delaying further written discovery and depositions. The current schedule contemplated substantial completion of document production by September 30, 2022. URS met this deadline, as stated in the September 30, 2022 Joint Status Report, but at that time, the Government represented that it still had “one additional production that it anticipate[d] serving by the end of October that will substantially complete its production of documents.” September 30, 2022 Joint Status Report, 2 (ECF No.

24). At the time, URS maintained that “the scope of the production to which the Government ha[d] committed was insufficient,” and the Parties stated that they would continue to meet and confer regarding the sufficiency of the Government’s document production. *Id.*

Since that time, and as discussed in the December 29, 2022 and March 29, 2023 Joint Status Reports (ECF Nos. 25 and 26), the Parties have continued to meet and confer regarding search terms for Electronically Stored Information, relevant time frames, and the identification of custodians, and as a result, the Government agreed to produce additional documents. In addition, the Parties confirmed deficiencies in the way the Government was collecting and producing documents that negatively and materially impacted those documents that had already been produced to URS, as well as forthcoming productions. The Government acknowledged these deficiencies, and to resolve these issues, agreed to recollect custodial email at the mailbox level and reproduce responsive emails with the assistance of an experienced e-discovery vendor. *See* March 29, 2023 Joint Status Report (ECF No. 26). The Parties have now reached an agreement concerning the search parameters for the Government to use against the newly-collected emails, as well as the timing of completion of remaining collections and document productions, including responsive documents from the Environmental Protection Agency and Naval Reactor custodians. Given the number of custodians and large amount of data to be produced, the Government now expects to complete document production by August 31, 2023. Following this completion, the Parties expect to be able to proceed with depositions and remaining written discovery.

The Parties therefore respectfully request that the Court find good cause to modify the current deadlines identified in the Court’s May 3, 2022 Scheduling Order (ECF No. 23) as follows:

<b>Event</b>	<b>Current Deadline</b>	<b>Requested New Deadline</b>
Completion of Document Production	9/30/2022	8/31/2023
Close of Fact Discovery	5/26/2023	4/25/2024
Exchange of Expert Reports	7/21/2023	6/20/2024
Exchange of Rebuttal Expert Reports	9/15/2023	8/15/2024
Close of Expert Discovery	11/17/2023	10/16/2024

The Parties further propose that, consistent with this Court's May 3, 2022 Order (ECF No. 23), the Parties shall file a Joint Status Report within 14 days of the Close of Expert Discovery. Thereafter, the Parties anticipate filing cross-motions for summary judgment prior to trial. *See* ECF No. 23.

May 18, 2023

Respectfully submitted,

/s/ Charles C. Speth

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